

1	UNITED STATES DISTRICT COURT	
2	MIDDLE DISTRICT OF TENNESSEE	
3	-----X	
4	L.E., by his next friends	
5	And parents,	*
6	Plaintiff,	*
7	V.	*
8	BILL LEE, in his official	*
9	Capacity as Governor of	
10	Tennessee; PENNY SCHWINN,	*
11	In her official capacity as	
12	The Tennessee Education	*
13	Commissioner; TENNESSEE	
14	STATE BOARD OF EDUCATION;	*
15	SARA HEYBURN MORRISON in	
16	Her official capacity as	*
17	The executive Director of	
18	The Tennessee State Board	*
19	Of Education; NICK DARNELL	
20	MIKE EDWARDS ROBERT EBY	*
21	GORDON FERGUSON, ELISSA,	
22	KIM LILLIAN HARTGROVE,	*
23	NATE MORROW, LARRY JENSEN	
24	DARRELL COBBINS, and EMILY	*
25	HOUSE, the individual	
26	Members of the Tennessee	*
27	State Board of Education,	
28	In their official	*
29	Capacities; KNOX COUNTY	
30	BOARD OF EDUCATION a/k/a	*
31	KNOX COUNTY SCHOOLS a/k/a	
32	KNOX COUNTY SCHOOL	*
33	DISTRICT; ROBERT M. "BOB"	
34	THOMAS, in his Official	*
35	Capacity as Director of	
36	Knox County Schools,	*
37	Defendants.	*
38	-----X	

DEPOSITION OF SARA MORRISON
APPEARING REMOTELY FROM
NASHVILLE, TENNESSEE

August 22, 2022

11:00 a.m.

REPORTED BY:

Dawn L. Halcisak, CLR

APPEARING REMOTELY FROM CRISFIELD, MARYLAND

1 withhold funds from LEA who did not comply with
2 the law.

3 Q. I see. So your view is that the
4 delegation to the Board relates exclusively to
5 the enforcement of the statute and not the
6 actual substantive requirements of the statute?

7 MS. BERGMEYER: Object to form.

8 THE WITNESS: I understand our
9 responsibility related to this law to be about
10 promulgating rules related to the commissioner's
11 ability to withhold funds for non-compliance
12 with this law. That really is the role of the
13 Board, under that legislation.

14 Q. The first reading of the bill includes
15 a provision requiring each local board of
16 education and each governing body of a public
17 charter school to adopt and enforce a policy in
18 compliance with the statute and adopt written
19 procedures to ensure proper implementation of
20 the statute; is that right?

21 A. Correct.

1 Q. And would those policies go to the
2 Board for any kind of review?

3 A. No, not LEA policies.

4 Q. Who would review those for compliance
5 with the statute?

6 A. The department of education.

7 Q. And if the department of education
8 found that there was something deficient in the
9 policy or procedure that the LEA adopted, would
10 that information, then, come to the state board
11 to reach a determination as to whether funding
12 should be withdrawn from the LEA, or is that
13 something that the department does to implement
14 the policy that the state board has devised?

15 A. Yes. The department would be purely
16 the property of the state department of
17 education, in terms of monitoring and enforcing
18 those LEA policies and then the ability to
19 withhold funds for non-compliance. That's not
20 something that comes to the Board.

21 MR. SCHOENFELD: John, can you put up